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PART II—Section 2

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LOK SABHA

The following Bill was introduced in Lok Sabha on the 24th February, 1961:—

*BILL No. 1 OF 1961

A Bill further to amend the Indian Income-tax Act, 1922

BE it enacted by Parliament in the Twelfth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Indian Income-tax (Amendment) Act, 1961.

Amendment of section 2.

11 of 1922.

2. In section 2 of the Indian Income-tax Act, 1922, after clause (6B) the following clause shall be inserted, namely:—

"(6BB) 'Hindu undivided family' means a Hindu undivided family governed by the mitakshara law".

*The President has, in pursuance of clause (1) of Article 117 and Article 274 of the Constitution of India, recommended to Lok Sabha, the introduction of the Bill.

STATEMENT OF OBJECTS AND REASONS

The term 'Hindu undivided family' is not defined anywhere in the Indian Income Tax Act, 1922. As a result no distinction is made between the Hindu undivided families governed by the *daya bhaga* and *mitakshara* laws, thereby, causing injustice to the families governed by the *daya bhaga* law, as persons governed by that law inherit property in definite and defined share only after the death of the previous owner. During the life-time of the owner his would-be successor cannot claim any interest in the property. This Bill seeks to remove this lacuna.

NEW DELHI; CHAPALAKANTA BHATTACHARYYA.
The 1st December, 1960.

M. N. KAUL,
Secretary.

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